



Attorney Docket No: SIEB012/01US

Box Patent Application Commissioner for Patents Washington, D.C. 20231

## UTILITY PATENT APPLICATION TRANSMITTAL

1. Transmitted herewith for filing is a U.S. Non-Provisional Utility Patent Application entitled: METHOD, SYSTEM, APPARATUS AND PROGRAM PRODUCT FOR DISTRIBUTION AND INSTANTIATION OF SOFTWARE UPGRADES

naming as inventors:

Gilberto Arnaiz; Robert A. Brodersen; Prashant Chatterjee; Peter S. Lim Duane Wandless

and including:

	[X] [X] [X]	<ul> <li>(35) pages of description (before the claims);</li> <li>(12) pages of claims ((52) total claims; (25) independent claims);</li> <li>(1) Sheet of Abstract; and</li> <li>(4) sheets of [] informal [X]formal drawing(s) including Figures 1-5.</li> </ul>			
2.	Also enclosed are:				
	Π	[] executed [] unexecuted Declaration			
	Ö	Assignment and Assignment Recordation Cover Sheet			
	ij	Power of Attorney			
	ij	Statement Claiming Small Entity Status under 37 C.F.R. §§ 1.9 and 1.27			
	Ö	Information Disclosure Statement			
	Ö	Preliminary Amendment			
	Ō	Bibliographic data entry sheet			
		No formal documents are being submitted at this time.			
3.	'[] Ple	ease amend the specification by inserting before the first line the sentence:			
	This application claims priority under 35 U.S.C. §§119 and/or 365 to filed				
	in	on, the entire content of which is hereby incorporated by			
	refere	ence			

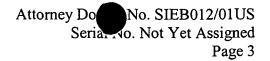
- 4. [X] Please amend the specification by inserting before the first line the sentence:
  - --This application claims priority under 35 U.S.C. §120 and/or §365 to PCT International Application Serial No. PCT/US99/04581 filed March 3, 1999, which in turn claims priority to U.S. Provisional Application No. 60/076,667 filed March 3, 1998, each of which is incorporated herein in its entirety by reference.--
- 5. The filing fee has been calculated as follows [] and in accordance with the enclosed preliminary amendment:

	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Applicati	ion Fee				\$690.00
Total Claims	52	- 20 =	32	x \$18.00	576.00
Independent Claims	25	- 3 =	22	x \$78.00	1,716.00
If multiple dependent claims are presented, add \$260.00					
Total Applicati	on Fee				2,982.00
If a statement claiming small entity status is enclosed, subtract 50% of Total Application Fee  0.00					0.00
Other fees: (specify)					
TOTAL FEE	DUE :				2,982.00

[X]	This application	is being filed	without a filir	ng fee.
		=		_

[	]	Check No	in the amount of \$	_ for the total fee is attached
[	1	Please charge \$	to Deposit Account No	. 50-1283 for the total fee.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.



6. Please direct all correspondence concerning this application to:

## COOLEY GODWARD LLP

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**CUSTOMER NUMBER:** 

022903

By:



Dated: 2/1/00

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Tel: (703) 456-8000 Fax: (703) 456-8100 Respectfully submitted, COOLEY GODWARD LLP

Michael A. Wrenn Reg. No. 42,237